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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,301	06/24/2003	Norman Ken Ouchi		3141

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EXAMINER

ALMATRAHI, FARIS S

ART UNIT	PAPER NUMBER
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3609

MAIL DATE	DELIVERY MODE
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09/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/602,301

Applicant(s)

OUCHI, NORMAN KEN

Examiner

Faris Almatrahi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/24/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of the Application

1. **Claims 1-20** are pending in this application.
2. If applicant is aware of any prior art or any co-pending application not already on record, the applicant is reminded of his/her duty under 37 C.F.R §1.56 to disclose the same.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 1-2 and 5-20** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. **Regarding claims 1, 11, 12, 16, and 19-20**, the phrase "such that" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).
6. **Claim 2** recites the limitations "the item description field of the materials planning system and/or the Approved Manufacturer List". There is insufficient antecedent basis for this limitation in the claim. Applicant did not specify to which "item description field", "materials planning system", and "Approved Manufacturer List" he is referring to.

7. **Claim 5** recites the limitations "the supplier part number of an item, the catalog responds with the compact item descriptor of the item, and the compact item descriptor is stored in the item master description field of the materials planning system and/or the Approved Manufacturer List". There is insufficient antecedent basis for this limitation in the claim. Applicant did not specify to which "item master description field", "materials planning system", and "Approved Manufacturer List" he is referring to.

8. **Claim 6** recites the limitations "the supplier name and the supplier part number". There is insufficient antecedent basis for this limitation in the claim. Applicant did not specify to which "supplier name" and "supplier part number" he is referring to.

9. **Claim 7** recites the limitations "the supplier part number for an interchangeable item and the supplier part number is stored into supplier part number field of the materials planning system and/or the Approved Manufacturer List". There is insufficient antecedent basis for this limitation in the claim. Applicant did not specify to which "supplier part number", "materials planning system", and "Approved Manufacturer List" he is referring to.

10. Similar comments apply to Claims 8-20.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 1-2 and 12-13** are rejected under 35 U.S.C 103(a) as being unpatentable over Blutinger et al. (US Patent No. 5,231,566).

13. Regarding Claims 1 and 12, Blutinger reads on an item descriptor derived by classifying the item and assigning values to the list of parameters to describe the characteristics of the item such that two different items with the same item descriptor are interchangeable (Abstract). Blutinger fails to explicitly disclose that the item descriptor is a compact item descriptor.

14. However, the difference between compact item descriptor and an item descriptor is only found in the non-functional descriptive material and is not functionally involved in the steps recited. The classifying and assigning steps would be performed the same regardless of whether the item descriptor is compact or not. Limitations that are not functionally interrelated with the useful acts, structure, or properties of the claimed invention carry little or no patentable weight. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Ngai*, 70 USPQ2d 1862 (CAFC 2004); *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

15. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to derive a compact item descriptor because the item descriptor does not functionally relate to the system claimed and because the subjective interpretation of the descriptor does not patentably distinguish the claimed invention.

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16. Regarding Claims 2 and 13, Blutinger reads on storing the item descriptor in a material planning system (Column 5 lines 52-61).

17. **Claims 3-10, 14-15, and 17-18** are rejected under 35 U.S.C 103(a) as being unpatentable over Blutinger et al. (US Patent No. 5,231,566) in view of Brathwaite (US Publication No. 2003/0221172 A1).

18. Regarding Claim 3-10, 14-15, and 17-18, Blutinger fails to disclose a catalog wherein the catalog is queried with an input field of an item to generate requested criteria of the item.

19. However, Brathwaite discloses querying a database wherein the database is queried with an input field of an item to generate requested criteria of the item (Abstract, [0014], [0052], [0070]).

20. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of Brathwaite in the device of Blutinger reference to include a catalog wherein the catalog is queried with an input field of an item to generate requested criteria of the item, for the advantage of allowing a user to look up and identify relevant product information.

21. **Claims 11, 16, and 19-20** are rejected under 35 U.S.C 103(a) as being unpatentable over Blutinger et al. (US Patent No. 5,231,566) in view of Brathwaite (US Publication No. 2003/0221172 A1) as applied to claims 1 and 12, further in view of Kavanagh et al. (US Patent No. 5,838,965).

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22. Regarding Claim 11, 16, 19-20, Blutinger fails to disclose a catalog wherein the catalog is queried with an input field of an item to generate requested criteria of the item and querying a supplier suffix table.

23. However, Kavanagh discloses querying a database wherein the database is queried with an input field of an item to generate requested criteria of the item including a supplier suffix data (Column 77 lines 21-28, Column 79 lines 22-30).

24. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of Kavanagh in the device of Blutinger reference to include a catalog wherein the catalog is queried with an input field of an item to generate requested criteria of the item and to perform querying functions of a supplier suffix table, for the advantage of allowing a user to look up and identify relevant product information.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faris Almatrahi whose telephone number is (571) 270-3326. The examiner can normally be reached on Monday to Thursday 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Akm Ullah can be reached on (571) 272-2361. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Faris Almatrahi
Examiner
Art Unit 3609

FA


AKM ULLAH
SUPERVISORY PATENT EXAMINER